

NOTICE OF HEARING AND LETTING

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE **PRAIRIE RIDGE SPORTS COMPLEX SOFTBALL FIELD LIGHTING** PROJECT FOR THE CITY OF ANKENY, IOWA, AND FOR THE TAKING OF BIDS THEREFORE.

Sealed proposals will be received by the City Clerk of the City of Ankeny, Iowa, in the City Council Chambers, City Hall, 410 West First Street, Ankeny, Iowa, 50023, before **10:30 A.M. on the 14th day of September, 2010**, for the construction of the **Prairie Ridge Sports Complex Softball Field Lighting** project as described in the plans and specifications heretofore on file in the office of the City Clerk. Proposals will be opened and the amount of the bids announced in said Council Chambers by the City Manager or his designee at the time and date specified above.

Prospective bidders shall provide pre-bid submittals, in accordance with the project specifications, to the Engineer (Snyder & Associates, Inc., 2727 SW Snyder Blvd., Ankeny, IA 50023) before **10:30 AM on the 7th day of September, 2010**. Any bidder not providing a complete pre-bid submittal shall be considered an unresponsive bidder.

Also, at **5:30 P.M. on the 20th day of September, 2010**, the City Council of said City will, in said Council Chambers, hold a hearing whereat said Council will resolve to adopt plans, specifications, form of contract, and estimate of cost and, at the time, date, and place specified above, or at such time, date, and place as then may be fixed, to act upon proposals and enter into contract for the construction of said improvements.

At said hearing, the City Council will consider the proposed plans, specifications, form of contract and estimate of cost for the project, the same now being on file in the office of the City Clerk, reference to which is made for a more detailed and complete description of the proposed improvements, and at said time and place the said Council will also receive and consider any comments/objections to said plans, specifications, and form of contract or to the estimated cost of said improvements made by any interested party.

The nature and extent of the improvements are as follows:

PRAIRIE RIDGE SPORTS COMPLEX SOFTBALL FIELD LIGHTING

The project involves the installation of sports field lighting for four softball fields at the project site. The scope of the project includes furnishing and installing sports lighting poles, fixtures, footings, conduit, wiring, electrical components, connection to existing electrical source, and miscellaneous associated work necessary to complete the project.

All work and materials are to be in accordance with the proposed plans, specifications, form of contract, and estimate of cost now on file in the office of the City Clerk of Ankeny, Iowa, and by this reference made a part as though fully set out and incorporated herein.

All bid proposals in connection therewith shall be submitted to the City Clerk of said City on or before the time set forth herein. All proposals shall be made on official bidding blanks furnished by the City, and any irregularities in the official proposal will entitle the Council, at its option, to reject the proposal involved from consideration. Each proposal shall be sealed and plainly identified.

Each proposal shall be made out on a blank form identical to that included in the project documents and must be accompanied in a separate sealed envelope by either (1) a certified or cashier's check, drawn on a solvent Iowa bank or a bank chartered under the laws of the United States, or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States, in an amount equal to ten percent (10%) of the bid, or (2) a bid bond executed by a corporation authorized to contract as a surety in the State of Iowa, in the penal sum of ten percent (10%) of the bid.

The bid security must be made payable to the CITY OF ANKENY, IOWA. The bid security must not contain any conditions either in the body or as an endorsement thereon. The bid security shall be forfeited to the City as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within ten (10) days after the award of contract and post bonds satisfactory to the City insuring the faithful fulfillment of the contract and the maintenance of said work, if required, pursuant to the provisions of this notice and other contract documents. Bidders shall use the bid bond form included in the specifications or a corporate form approvable to the City of Ankeny, Iowa.

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within the State of Iowa, and to Iowa domestic labor, to the extent lawfully required under Iowa Statutes; provided that the award of contract will be made to the lowest responsible bidder submitting the lowest responsive bid, which shall be determined without regard to state or local law whereby preference is given on factors other than the amount of the bid.

The successful bidder(s) shall provide proof of registration with the Iowa Division of Labor in accordance with Chapter 91C of the Code of Iowa.

The City Council reserves the right to reject any or all bids, to waive informalities, irregularities, or technicalities in any bid, and to accept the bid which it deems to be in the best interest of the City.

The successful bidder(s) will be required to furnish bonds in an amount equal to one hundred (100) percent of the contract price; said bonds to be issued by a responsible surety approved by the City Council and shall (1) guarantee the faithful performance of the contract and the terms and conditions therein contained; shall (2) guarantee the prompt payment for all materials and labor and protect and save harmless the City from claims and damages of any kind caused by the operations of the Contractor; and shall (3) guarantee the work against faulty workmanship and materials for the following periods after its completion and acceptance by the City Council: **All Components – 2 years**

The work shall commence within ten (10) calendar days after the date set forth in the written Notice to Proceed. The project shall be substantially complete by **November 30, 2010**. Substantially complete shall be defined as all underground and electrical work complete with poles and fixtures in place and operational. The entire project shall be fully complete by **April 30, 2011**. The Notice to Proceed will be issued on or about **September 21, 2010**.

Payment of the cost of said project will be made from any one or a combination of the following sources at the sole discretion of the City Council:

- 1) Cash funds on hand available to the City for payment of costs incurred related to the construction of this project.
- 2) When cash funds are not available, payments shall be made with warrant(s) drawing interest at the rate of twelve percent (12%) per annum, or at such lesser rate as may be mutually agreed upon, authorized by §384.57 of the Code of Iowa, as amended, drawn on this project fund; anticipating the collection of cash monies from bonds as may be legally used for this project the City will pay the holders of the warrants issued their accrued money; the City typically makes

arrangements with a local bank whereby the Contractor can sell their warrant to the bank for full face value; warrants will be bought back by the City, with interest, at such timely future date as the City has funds legally available for such purposes.

Payment will be made to the Contractor based on monthly estimates in amounts equal to ninety-five percent (95%) of the contract value of the work completed including materials and equipment delivered to the job during the preceding calendar month, and will be based upon an estimate prepared by the Contractor on the first day of the month, subject to the approval of the Engineer.

The Engineer will certify to the Council for payment of each approved estimate on or before the tenth (10th) day of the month. Such monthly payments shall in no way be construed as an act of acceptance for any part of the work partially or totally completed. The balance of the five percent (5%) due the Contractor will be paid not earlier than thirty-one (31) days from the date of final acceptance of said work by the City, subject to the conditions and in accordance with the provisions of Chapter 573 of the Code of Iowa. No such partial or final payment will be due until the Contractor has certified to the City Clerk that the materials, labor, and services involved in each estimate have been paid for in accordance with the requirements stated in the specifications.

A sales tax exemption certificate will be available for all material purchased for incorporation into the project. Contractor also must file appropriate lien waivers before final payment will be released.

Liquidated damages in the following amount per consecutive calendar day will be assessed for each calendar day that the work remains uncompleted after the end of the contract period.

<u>COMPLETION DATE</u>	<u>AMOUNT</u>
Substantial Completion Date: November 30, 2010	\$500.00
Entire Project Completion Date: April 30, 2011	\$500.00

Plans and specifications governing the construction of the proposed improvements, and also the prior proceedings of the City Council referring to and defining said proposed improvements are hereby made a part of this notice and the proposed contract by reference, and the proposed contract shall be executed to comply therewith.

Copies of said plans and specifications and form of contract are now on file in the office of the City Clerk. Copies of the project documents may be obtained from Snyder & Associates, Inc., 2727 SW Snyder Blvd., Ankeny, Iowa 50023.

This notice is given by order of the City Council of the City of Ankeny, Iowa.

Dated at Ankeny, Iowa, this **16th day of August, 2010.**

Steven D. Van Oort, Mayor

ATTEST:

Pamela DeMouth, City Clerk

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